

SENATE MOTION

MADAM PRESIDENT:

I move that Senate Bill 403 be amended to read as follows:

1 Page 8, delete lines 14 through 15, begin a new paragraph and
2 insert: **(c) Any person who fails to comply with any requirement**
3 **imposed under this chapter with respect to any consumer is liable**
4 **to that consumer in an amount equal to the sum of:**
5 **(1) Any actual damages sustained by the consumer as**
6 **a result of the failure but not less than five hundred dollars (\$500)**
7 **and no more than six thousand dollars (\$6000); and**
8 **(2) Such amount of punitive damages as the court may**
9 **allow; and**
10 **(3) In the case of any successful action to enforce any**
11 **liability under this section, the costs of the action together with**
12 **reasonable attorney fees as determined by the court.**
13 **(d) Any person who obtains a consumer report, requests**
14 **a security freeze, requests a temporary lift of a freeze, or the**
15 **removal of a security freeze from a consumer reporting agency**
16 **under false pretenses or in an attempt to violate federal or state**
17 **law shall be liable to the consumer reporting agency for actual**
18 **damages sustained by the consumer up to a maximum of six**
19 **thousand dollars (\$6000).**

(Reference is to SB 403 as printed February 23, 2007.)

Senator TALLIAN